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AT 8:31 AM  
WILLIAM T. WALSH CLERK

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

TAKEDA PHARMACEUTICAL  
COMPANY LIMITED, TAKEDA  
PHARMACEUTICALS NORTH  
AMERICA, INC., TAKEDA  
PHARMACEUTICALS LLC,  
TAKEDA PHARMACEUTICALS  
AMERICA, INC., and ETHYPHARM,  
S.A.,

Plaintiffs,

v.

ZYDUS PHARMACEUTICALS USA  
INC. and CADILA HEALTHCARE  
LIMITED,

Defendants.

CIVIL ACTION NO:  
3:10-CV-01723-JAP-TJB

Returnable: April 1, 2013

**Oral Argument Requested**

**ORDER GRANTING MOTION TO  
SEAL DEFENDANTS'  
MEMORANDUM OF LAW IN  
OPPOSITION TO  
PLAINTIFFS' MOTION *IN LIMINE*  
TO PRECLUDE ALL TESTIMONY  
AND EVIDENCE RELATING TO  
NEW AND UNTIMELY DISCLOSED  
PRIOR ART REFERENCES**

This matter having come before the Court by motion of Defendants Zydus Pharmaceuticals, USA, Inc. and Cadila Healthcare, Limited (collectively "Zydus" or "Defendants") for leave to file under seal Zydus' March 7, 2013 Memorandum

in Opposition to Plaintiffs' Motion *In Limine* to Preclude All Testimony and Evidence Relating to New and Untimely Disclosed Prior Art References, and the accompanying Exhibits A-C and E-F to the Declaration of Vincent P. Rao, and the Court having reviewed the submissions of counsel for good cause shown,<sup>1</sup>

**IT IS HEREBY ORDERED** that Defendants are granted leave to file under seal Zydus' March 7, 2013 Memorandum in Opposition to Plaintiffs' Motion *In Limine* to Preclude All Testimony and Evidence Relating to New and Untimely Disclosed Prior Art References, and the accompanying Exhibits A-C and E-F to

the Declaration of Vincent P. Rao. <sup>However, in light of the fact that it is unclear whether sealing Defendants' Memorandum in opposition represents the least restrictive alternative, Defendants shall either submit a proposed redacted version of same or a letter explaining why redacting the Memorandum is not practical no later than 4/12/13<sup>2</sup></sup>  
DATED: March 21, 2013

SO ORDERED:



Hon. Tonianne J. Bongiovanni, U.S.M.J.

[Docket Entry No. 309 is terminated].

<sup>1</sup> The Court is aware that any interested person seeking to intervene with respect to Defendants' motion has until April 1, 2013, the Return Date for the motion, to move to do so. Consequently, should an interested person timely move to intervene, the Court shall reexamine its findings of fact and conclusions of law at that time.

<sup>2</sup> The Court finds that Defendants have established that Sealing Exhibits A-C and E-F to the Declaration of Vincent P. Rao in their entirety represents the least restrictive alternative.